

M I N U T E S
LEXINGTON COUNTY COUNCIL
October 9, 2012

Lexington County Council held its meeting on Tuesday, October 9, 2012 in Council Chambers beginning at 4:30 p.m. Chairman Banning presided.

Matters Requiring a Vote as a Result of Executive Session - During the Committee of the Whole, Council entered into Executive Session to discuss three legal matters. There were not motions to be considered.

Councilwoman Summers gave the invocation. WWII Veteran, Robert Gladieux, led the Pledge of Allegiance.

Members attending:	William B. Banning, Sr.	James E. Kinard, Jr.
	Frank J. Townsend, III	George H. (Smokey) Davis
	Debra B. Summers	Bobby C. Keisler
	Kenneth Brad Matthews	M. Todd Cullum

Not Present: Johnny W. Jeffcoat *

*Mr. Jeffcoat was out of town.

Also attending: Joe Mergo, III, County Administrator; John Fechtel, Deputy County Administrator; Larry Porth, Finance Director/Assistant County Administrator; Jeff Anderson, County Attorney; other staff members, citizens of the county and representatives of the media.

In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, and posted on the bulletin board located in the lobby of the County Administration Building.

Chairman's Report - Mr. Banning reported on the following events he attended as well as upcoming events: Sept. 27 - attended the Veterans Affairs' Job Fair at the National Guard Armory on Platt Springs Road; Sept. 28 - attended the Council of Government (COG) meeting; Oct.4 - he and several council members attended the SCANA Oyster Roast for Elected Officials; Oct. 5 - attended the Good to Great Campaign Kick with Councilman Davis and Councilwoman Summers; and Oct. 6 is Councilman Townsend's birthday. Mr. Banning reported he has received 14 resolutions for the airport connector. Also, Oct. 9 - 12-Mile Creek Stakeholders meeting at the Lexington Town Hall from 6:00 p.m. - 8:00 p.m.; Oct. 10 - Public Officials Appreciation Breakfast at the Columbia Museum of Arts; Oct. 18 - Lexington County Existing Industry Appreciation; Oct. 19 - SCAC Fall Meeting at Embassy Suites; Nov. 15 - Lexington County Council/Municipal Strategic Planning Retreat.

The Administrator's Report - Overview of Marine/EMS Lake Murray Boat Patrol - Delayed to the October 23rd meeting.

Energy Wise for Business Rebate - Mr. Mergo reported as part of the Energy Efficiency Conservation Block Grant projects that the County has been doing to make our buildings more energy efficient, the County received a rebate check in the amount of \$3,739 from SCE&G.

Cayce /West Columbia Library - Mr. Mergo proudly announced that a photo of the Cayce/West Columbia Library was featured as the Public Library Association's Facebook cover of the week, which is a first.

Veterans' Affairs Office - Mr. Mergo reported the Veterans' Affairs Office will be closed October 10-12, 2012 for training in Columbia. However, Mr. Lundeen will be in the office each evening at 5:30 to check messages and calls will be returned on Friday, October 12.

Public Safety Day- Mr. Mergo commended the Lexington County Public Safety Department, Town of Lexington Municipal Dept., Lexington County Animal Services, SCDPS Highway Patrol, Lexington Medical Center, the National Guard, and the Block Parties Through Christ who participated with the Public Safety Day at Saxe Gotha Presbyterian Church.

Gwinnet County 911 Center - Mr. Mergo said he, Councilman Jeffcoat and a few staff members visited Gwinnet County (Ga.) to tour their Category 3 - 46,000 sq. ft. emergency operation/911 center. He noted that have only one 911 call center, one unified fire service, and one EMS for a population exceeding 850,000.

November and December Meeting Schedule - Ms. Summers made a motion, seconded by Mr. Kinard to cancel the second meeting of November and December, November 27 and December 25. Council will meet on November 13 and December 11. The Chairman may call a Special Meeting should the need arise.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Ms. Summers
	Mr. Kinard	Mr. Townsend
	Mr. Davis	Mr. Keisler
	Mr. Matthews	Mr. Cullum

Resolutions - Suzanne Clark Hackett and District Two's Heroes and Heroines (Cindy Wilkerson) - Mr. Kinard made a motion, seconded by Mr. Cullum to approve both resolutions.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Kinard
	Mr. Cullum	Mr. Townsend
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Matthews

Appointments - River Alliance - Mike Crapps - Ms. Summers made a motion, seconded by Mr. Cullum to appoint Mr. Crapps. Mr. Crapps replaces Mike Stamps.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Ms. Summers
	Mr. Cullum	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Mr. Keisler	Mr. Matthews

Accommodations Tax Board - Pat Johnson - Mr. Banning made a motion, seconded by Mr. Kinard to reappoint Ms. Johnson.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Matthews	Mr. Cullum

Accommodations Tax Board - Dwight Byrd - Mr. Banning made a motion, seconded by Mr. Kinard to appoint Mr. Byrd. Mr. Byrd replaces Robert Schaeffer.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Matthews	Mr. Cullum

Lexington/Richland Alcohol & Drug Abuse Council - L. J. "Chip" Johnson - Ms. Summers made a motion, seconded by Mr. Davis to reappoint Mr. Johnson.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Ms. Summers
	Mr. Davis	Mr. Kinard
	Mr. Townsend	Mr. Keisler
	Mr. Matthews	Mr. Cullum

Lexington/Richland Alcohol & Drug Abuse Council - Adrienne Huffman Bellinger - Ms. Summers made a motion, seconded by Mr. Davis to reappoint Ms. Bellinger.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Ms. Summers
	Mr. Davis	Mr. Kinard
	Mr. Townsend	Mr. Keisler
	Mr. Matthews	Mr. Cullum

Accommodations Tax Board - Randi Sullivan - Mr. Matthews made a motion, seconded by Mr. Cullum to reappoint Ms. Sullivan.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Matthews
	Mr. Cullum	Mr. Kinard

Mr. Townsend Mr. Davis
Ms. Summers Mr. Keisler

Wrecker Rotation Disciplinary Board - Steven A. Smith - Mr. Cullum made a motion, seconded by Mr. Keisler to reappoint Mr. Smith.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Banning Mr. Cullum
 Mr. Keisler Mr. Kinard
 Mr. Townsend Mr. Davis
 Ms. Summers Mr. Matthews

Board of Zoning & Appeals - J.R. Caughman - Mr. Townsend made a motion, seconded by Mr. Keisler to reappoint Mr. Caughman.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Banning Mr. Townsend
 Mr. Keisler Mr. Kinard
 Mr. Davis Ms. Summers
 Mr. Matthews Mr. Cullum

Museum - William Keisling, Jr. - Mr. Townsend made a motion, seconded by Mr. Kinard to reappoint Mr. Keisling, Jr.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Banning Mr. Townsend
 Mr. Kinard Mr. Davis
 Ms. Summers Mr. Keisler
 Mr. Matthews Mr. Cullum

Bids/Purchases/RFPs - Mr. Davis made a motion, seconded by Mr. Townsend to approve the following bids/purchases/RFPs (Tabs M and N).

One (1) Excavator (Replacement) - Public Works - Staff recommended the purchase of an excavator for Public Works from Blanchard Machinery through State Contract Number 4400002455. Total cost, including tax, is \$118,040.

One (1) Unmarked Vehicle with Equipment (Addition) - Sheriff's Department - Staff recommended the purchase of an unmarked Chevrolet Caprice with equipment and accessories for the Sheriff's Department. The vehicle (\$26,122) will be purchased from Love Chevrolet through State Contract Number 4400004322 and the accessories (\$1,631.95) will be purchased from Dana Safety Supply through State Contract Number 440001051. Total cost, including tax, is \$27,753.95.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Banning Mr. Davis
 Mr. Townsend Mr. Kinard
 Ms. Summers Mr. Keisler
 Mr. Matthews Mr. Cullum

Approval of Minutes - Minutes of July 24 and August 28, 2012 - Mr. Kinard made a motion, seconded by Mr. Matthews to approve the minutes as submitted.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Banning Mr. Kinard
 Mr. Matthews Mr. Townsend
 Mr. Davis Ms. Summers
 Mr. Keisler Mr. Cullum

Ordinances - Ordinance 12-08 - An Ordinance Authorizing the Conveyance of 8.90 Acres, More or Less, to the Town of Lexington - 3rd & Final Reading - Mr. Davis made a motion, seconded by Ms. Summers to approve third and final reading.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor: Mr. Banning Mr. Davis
 Ms. Summers Mr. Kinard
 Mr. Townsend Mr. Keisler
 Mr. Matthews Mr. Cullum

Ordinance 12-14 - An Ordinance Approving the Conveyance of Real Estate From the County of Lexington to SCDOT - 1st Reading - Mr. Davis made a motion, seconded by Mr. Cullum to approve first reading.

Mr. Banning opened the meeting for discussion

Mr. Kinard asked to define the property.

Mr. Mergo replied that is for the widening of Columbia Avenue in Lexington.

Mr. Banning called for further discussion; none occurred.

In Favor: Mr. Banning Mr. Davis
 Mr. Cullum Mr. Kinard
 Mr. Townsend Ms. Summers
 Mr. Keisler Mr. Matthews

Committee Reports - Economic Development, J. Jeffcoat, Chairman - Resolution R12-8 - Approval of a Resolution to Amend the FILOT Agreement on Hahl, Inc. - In the absence of Mr. Jeffcoat, Committee Vice-Chair, Davis reported the Committee voted unanimously to approve a resolution to amend the FILOT agreement on Hahl, Inc., which is a three-year extension allowing them to get their

investment in at the same rate as well as a correction on the new name of the company.

Mr. Davis made a motion, seconded by Mr. Kinard to approve the resolution (R12-8) to amend the FILOT agreement on Hahl, Inc., which is a three-year extension allowing them to get their investment in at the same rate as well as a correction on the new name of the company.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Davis
	Mr. Kinard	Mr. Townsend
	Ms. Summers	Mr. Keisler
	Mr. Matthews	Mr. Cullum

South Carolina Work Ready Communities (SCWRC) - Mr. Davis reported the Committee voted unanimously to recommend to full Council to approve the appointment of Chuck Whipple, Economic Development Director to be the champion for the Workforce Initiative for Lexington County.

Mr. Davis made a motion, seconded by Mr. Cullum to approve the appointment of Chuck Whipple, Economic Development Director to be the champion for the Workforce Initiative for Lexington County.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Davis
	Mr. Cullum	Mr. Kinard
	Mr. Townsend	Ms. Summers
	Mr. Keisler	Mr. Matthews

Justice, S. Davis, Chairman - FY12 Incident Management Team (IMT) Grant Award - Mr. Davis reported during the Justice Committee, the Committee voted unanimously to recommend to full Council for approval. The award in the amount of \$55,312 requires no County match.

Mr. Davis made a motion, seconded by Mr. Keisler to approve.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Davis
	Mr. Keisler	Mr. Kinard
	Mr. Townsend	Ms. Summers
	Mr. Matthews	Mr. Cullum

FY12 Law Enforcement Network (LEN) Grant Award - Also, the Committee voted unanimously to recommend to full Council for approval. The grant in the amount of \$28,000 requires no County match.

Mr. Davis made a motion, seconded by Mr. Keisler to approve.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Davis
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Mr. Keisler	Mr. Kinard
Mr. Townsend	Ms. Summers
Mr. Matthews	Mr. Cullum

Public Works & Solid Waste Management, T. Cullum, Chairman - Right-of-Way Acquisition Procedures - Mr. Cullum reported the Public Works Committee met on Tuesday, September 25, 2012, to consider the proposed right-of-way acquisition procedures. Following is the Committee Report:

Mr. Randy Edwards presented a draft of proposed right-of-way acquisition procedures. The procedures outlined steps to secure right-of-way and storm drainage easement commitments from property owners on dirt roads listed on the C-Fund Paving List (see guidelines and letter attached). Also presented was a draft letter for Council to send to property owners when all attempts to contact property owners fail. Staff listed the expected time frame for resolution at nine months from the date of the original letters mailed to property owners before presenting to Council for consideration to drop the road paving project.

The Public Works Committee voted unanimously in favor to recommend to full Council to approve staff's recommendations.

Mr. Cullum made a motion, seconded by Mr. Matthews to recommend to full Council for approval.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Matthews	Mr. Kinard
	Mr. Townsend	Mr. Davis
	Ms. Summers	Mr. Keisler

Ordinance 12-13 - Ordinance Extending the Residential Solid Waste Franchise Contracts - 1st Reading - Mr. Cullum reported the Committee met earlier in the day and voted unanimously to recommend to full Council for approval.

Mr. Cullum made a motion, seconded by Mr. Kinard to approve first reading.

Mr. Banning opened the meeting for discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Kinard	Mr. Townsend
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Matthews

Mr. Banning adjourned the Council meeting and convened the County Transportation Committee (CTC).

County Transportation Committee - Annual C-Fund Report for FY2011-2012 - Mr. Banning reported during the Public Works Committee, Mr. Starling reviewed with the Committee the Annual "C" Fund report for the period of July 1, 2011 - June 30, 2012.

Mr. Cullum made a motion, seconded by Mr. Townsend to approve staff's recommendation on the Annual "C" Fund Report for FY2011-2012.

Mr. Banning opened the meeting for discussion.

Mr. Banning said in the future, the County Transportation Committee will meet at 4:30 and not in the Committee Meetings so as not to have redundancy.

Mr. Banning called for further discussion; no discussion occurred.

In Favor:	Mr. Banning	Mr. Cullum
	Mr. Townsend	Mr. Kinard
	Mr. Davis	Ms. Summers
	Mr. Keisler	Mr. Matthews

Mr. Banning adjourned the County Transportation Committee (CTC) and reconvened the County Council meeting.

Budget Amendment Resolutions - The following BARs were distributed and signed:

12-126 - A supplemental appropriation increase of \$237,624 to book the donations of all the construction and beautification that were completed on the Lexington Square for FY2012.

Mr. Mergo pointed out that finance is booking the total cost of the Lexington Square with all the contributions coming from the Town of Lexington, the Lexington Beautification Committee, and the Officer Fallen Monument. There will probably be an additional BAR once the fence has been completed around Lexington Square that is being donated by the Lexington Beautification Committee.

Mr. Banning asked for clarification that the \$100,000 worth of trees for the Lexington Square was not County money but somebody else's money.

Mr. Mergo replied that the trees planted in Lexington Square were donated by the Lexington Beautification Committee.

Mr. Banning reiterated that no County taxpayer money was spent but money raised by the Lexington Beautification Committee.

13-047 - A supplemental appropriation increase of a \$100,000 grant from the S.C. Coordinating Council for Economic Development for Avtec, Inc. to be used toward the cost of site preparation.

13-048 - An appropriation transfer of \$1,600,000 and a supplemental appropriation increase of \$1,600,000. This transaction is to transfer the money from Emergency Phone System (E-911) to the ECC/EOC Project.

13-049 - A supplemental appropriation increase of \$35,845.62 received from the State Lottery Funds for Fiscal Year 2013 for Library Services.

13-050 - An appropriation transfer of \$44,000 and a supplemental appropriation increase of \$44,000 in the Sheriff's Department. The Sheriff's Department was awarded a grant for a gas chromatograph/gas mass spectrometer, but the piece of equipment requires additional modification to the Drug Lab. This

transaction is to transfer the additional funds needed above the grant received.

13-051 - A supplemental appropriation increase of \$56,900 for the donation of 8.9 acres of land to the Town of Lexington for a pet park.

13-052 - A supplemental appropriation increase of \$28,000 in the Sheriff's Department for the FY13 Law Enforcement Network (LEN) grant received.

13-053 - A supplemental appropriation increase of \$55,312 in the Sheriff's Department for the FY12 Incident Management Team grant received.

Old Business/New Business - None.

Executive Session - Mr. Banning announced that Council completed Executive Session during the afternoon Committee of the Whole.

Matters Requiring a Vote as a Result of Executive Session - None.

Adjournment - Mr. Townsend made a motion, seconded by Mr. Kinard to adjourn the meeting.

In Favor:	Mr. Banning	Mr. Townsend
	Mr. Kinard	Mr. Davis
	Ms. Summers	Mr. Keisler
	Mr. Matthews	Mr. Cullum

There being no further business, the meeting was adjourned.

Respectfully submitted,

Diana W. Burnett
Clerk

William B. Banning, Sr.
Chairman